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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,640	07/28/2003	John P. Stautner	200303370-3	4896

7590 11/19/2007  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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BAUTISTA, XIOMARA L

ART UNIT	PAPER NUMBER
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2179

MAIL DATE	DELIVERY MODE
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11/19/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/628,640	STAUTNER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	X. L. Bautista	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 02 November 2007.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 14-46 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 14-46 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.  
 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_.  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Prosecution Reopened***

1. The indicated allowability of claims 14-46 is withdrawn in view of the newly discovered reference(s) to Jerding et al. Rejections based on the newly cited reference(s) follow.

### ***Claim Objections***

2. Claims 37-46 are objected to because of the following informalities: the claims have to be amended so they have sufficient antecedent basis corresponding to changes made to claim 36. Correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 14- 46 are rejected under 35 U.S.C. 102(e) as being anticipated by *Jerding et al* (US 2006/0271973 A1).**

Claims 14 and 25:

Jerding discloses a system and method for *delivering content selection information to be displayed as a content selection guide* (abstract; p. 1, par. 0009-0010; fig. 8A). Jerding teaches *providing content selection information having descriptive information* (fig. 8B; list 201) *associated with the content available from the plurality of content sources* (p. 1, par. 0010; p. 19, claim 9), *the content selection information being adapted to be displayed within a plurality of selectable guide cells* (fig. 8B; list 201); *defining an action to be associated with content selection information* (fig. 8B, program information 204b is displayed when item 201a is selected and further information is provided when info button 210 is selected); defining an indicator within the at least one of the selectable guide cells, the indicator corresponding to the action, to allow the user to initiate the action by selecting the indicator (fig. 8B; item 201 is an indicator that corresponds to an action; when item 201 is selected, additional information, program info 204b corresponding to selected item 201, is displayed).

Claims 15, 26 and 37:

Jerding teaches selectable guide cells having objects (icon=symbolic representation) therein, which are links that correspond to and represent the indicator (fig. 8B).

Claims 16, 17, 27, 28, 38 and 39:

Jerding teaches that the interface may be configured by the system or by the user (p. 17, par. 0141-0142).

Claims 18, 29 and 40:

See claim 14. Jerding teaches defining an action to comprise executing an application on a computer system (p. 2, par. 0035; p. 4, par. 0046; p. 15, par. 0124).

Claims 19, 30 and 41:

Jerding teaches providing updated content selection information (p. 7-8, par. 0079; p. 9, par. 0090).

Claims 20, 31 and 42:

Jerding teaches defining an action to comprise displaying an advertisement (abstract; figs. 8B, 8C; p. 1, par. 0009, 0010; p. 11, par. 0098; p. 13, par. 0108; p. 17, par. 0141, 0143, 0144).

Claims 21, 32 and 43:

Jerding teaches defining an action to comprise making a purchase (p. 1, par. 0006, 0007; p. 4, par. 0047; p. 5, par. 0056; p. 7, par. 0073).

Claims 22, 33 and 44:

Jerding teaches adapting the content selection information to be displayed on a computer system (p. 1, par. 0005; p. 3, par. 0041).

Claims 23, 34 and 45:

Jerding teaches storing content selection information in a database on a computer system (p. 7, par. 0076; p. 9, par. 0090).

Claims 24, 35 and 46:

Jerding teaches delivering content selection information to a user via a wireless communication channel. Jerding explains that DHCT (digital home communication terminal) may have one or more wireless or wired interfaces (for receiving and/or transmitting data to other devices (p. 3, par. 0041; p. 4, par. 0049).

Claim 36:

See claim 14. Jerding teaches a mass storage device (computer-readable medium) comprising a software application (p. 18, par. 0149).

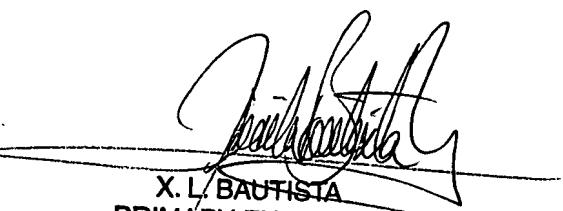
***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X. L. Bautista whose telephone number is (571) 272-4132. The examiner can normally be reached on Monday-Thursday 8:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



X. L. BAUTISTA  
PRIMARY EXAMINER

xlb  
15 November 2007